

Regarding the assertions made by the Examiner regarding improper Markush groups, Applicant observes that the claimed Markush group does in fact have both common utility and common structural features essential to the utility. In particular, both of the items in the Markush group are antibodies that are generated as part of a cancer-specific immune response, and that bind to antigens (sterol carrier protein-X and protein kinase B); moreover, both are antibodies that share extensive structural homology as immunoglobulin protein molecules. There are, of course, distinct features of each antibody which relate to the structures required for high affinity binding of the individual antigens. The distinct features of the antibodies in this Markush group are, however, analogous to the differences between the features of, for example, nails and screws in a Markush group of fasteners.

Applicant thus respectfully requests that the Examiner reconsider the requirement for the election of one antibody species.

As a result of the traversal of the restriction requirement, Applicant is not at this time amending the claims. Applicant does note, as is usually required in response to a restriction requirement, that claims 13-15, 31 and 32 read on the elected antibody. In other words, Group I as elected herein properly contains claims 13-15, 31 and 32, and not claims 16 or 17.

Respectfully submitted,

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